

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Rosemary Heredia, Assistant Deputy Clerk.

**F039656      People v. McPeters**

Cause called and argued by Tami Buscho, Esq., counsel for appellant. Mathew Chan, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Wiseman, J. leaves the bench and is replaced by Levy, J.

**F040016      Moore v. Wal-Mart Stores, Inc.**

Cause called and argued by Robert Kirk Phillips, Esq., counsel for appellant and by Tony J. Tanke, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Monday, August 11, 2003 at 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Robert Abilez, Senior Deputy Clerk.

**F040956      Friends of the Kangaroo Rat v. The California Dept. of Corrections**

Cause called and argued by Babak Naficy, Esq., counsel for appellant and by Evelyn M. Matteucci, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Dibiaso, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Cornell, J.

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**F040921      Nob Hill Transportation, Inc. v. Eckhaus**

Cause called and argued by Leonard Herr, Esq., counsel for appellant and by W. Scott Quinlan, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, August 12, 2003 at 10:00 A.M.

**F041151      In re Kelly G., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F041151      In re Kelly G., a Minor**

The matter is remanded for re-notification to appellant's school omitting the gang-affiliation. In all other respects, the judgment is affirmed. Ardaiz, P.J.

We concur: Dibiaso, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041694      In re Freddy A., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F041562      People v. Camacho**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F041562      People v. Camacho**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043408      V. P. v. The Superior Court of Stanislaus County**  
Pursuant to the terms of this court's order of August 1, 2003, and the failure of any party to request oral argument, the oral argument date of August 14, 2003, is vacated.  
This matter is deemed submitted on the date of this order.
- F043408      V.P. v. The Superior Court of Stanislaus County**  
The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039998      People v. Garcia**  
Appellant's petition for rehearing filed herein is denied.
- F040750      People v. Ayala**  
Appellant's petition for rehearing filed herein is denied.
- F042269      People v. Scruggs**  
Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.